

**CITY OF KUNA
PLANNING & ZONING COMMISSION**

**MEETING MINUTES
Tuesday, December 11, 2018**

PZ COMMISSION MEMBER	PRESENT	CITY STAFF PRESENT:	PRESENT
Chairman Lee Young	X	Wendy Howell, Planning Director	X
Commissioner Dana Hennis	X	Troy Behunin, Senior Planner	X
Commissioner Cathy Gealy	Absent	Jace Hellman, Planner II	X
Commissioner Stephen Damron	X	Sam Weiger, Planner I	X
Commissioner John Laraway	X		

6:00 pm – COMMISSION MEETING & PUBLIC HEARING

Chairman Young called the meeting to order at **6:00 pm**.

Call to Order and Roll Call

1. CONSENT AGENDA

Meeting Minutes for November 27, 2018.

Findings of Fact and Conclusions of Law For 18-05-S (Preliminary Plat) – Lete Commercial Subdivision.

Findings of Fact and Conclusions of Law For 18-12-SUP (Special Use Permit) and 18-03-ZC (Rezone) – Kuna CTE High School.

Findings of Fact and Conclusions of Law For 18-03-AN (Annexation), 18-01-CPM (Comprehensive Map Change), 18-04-ZC (Rezone), 18-02-PUD (Planned Unit Development) and 18-04-S (Preliminary Plat) – Falcon Crest Subdivision.

Commissioner Hennis Motions to approve the consent agenda; Commissioner Damron Seconds, all aye and motion carried 3-0.

2. NEW BUSINESS

18-38-DR (Design Review) – Snerk's Drive-Thru and Retail Building; ALC Architecture seeks Design Review approval from the Planning and Zoning Commission (acting as Design Review Committee) for a new 650 square-foot drive-thru soda shop and a new 6,100 square-foot retail building, accompanying landscaping, lighting and a parking lot. The site is located at 450 East Deer Flat Road, Kuna, Idaho 83634.

Sam Weiger: Chairman, commissioners, for the record Sam Weiger, Planner I Kuna Planning and Zoning Staff 751 W 4th ST. The application before you tonight is 18-38-DR (Design Review) which is seeking approval for a 650 square-foot drive-thru soda shop and a 6,100 square-foot retail building, accompanying landscaping and a parking lot. The site is located at 450 East Deer Flat Road. The applicant proposes one driveway access from East Deer Flat Road. The applicant proposes gravel as a ground cover for the borrow ditch. According to Kuna City Code 5-9-2, gravel surfaces are not permitted as a ground cover. Staff recommends that the applicant sod the borrow ditch until ACHD improvements are made. The City Engineer has added a condition that the applicant shall include an Idaho PE design for the seepage beds. The seepage beds shall comply with ACHD standards even if remaining private. The applicant shall provide sidewalk along the frontage to comply with ACHD requirements. Additionally, the proposed parking lot lighting features at least one light for every 14 parking spaces, and the lights are LED lights. The parking lot lighting complies with Kuna City Code 5-9-5. J&M Sanitation recently notified staff that the trash enclosure location and structure meet their standards, so it is no longer necessary to include the condition regarding J&M Sanitation in your motion. The applicant has not proposed street lights. Street lights are not required, but staff would welcome installation of one street light evenly spaced between the existing street lights on the north side and south side of Deer Flat Road. Any street lights shall comply with Kuna City Code 6-4-2, which requires street lights along frontages

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every 250 feet at maximum. With the recommended and required changes, staff has determined that the application generally complies with Kuna City Code; Idaho Code; and the Kuna Comprehensive Plan; Staff forwards a recommendation of approval for Case No. 18-38-DR to the Planning and Zoning Commission, subject to the recommended conditions of approval. **C/Young:** Is there a fence proposed anywhere here? **Sam Weiger:** They did not propose a chain-link fence, but there is existing fencing along the property. **C/Young:** Is that on the west side only? **Sam Weiger:** The chain-link fencing goes all the way around the property. **Cory Tanner:** My address is 2619 West Lake Hazel Road. This project right across from Kuna High School is for a drive-thru soda shop and retail strip. It's just over one acre in size. It's also next to the Kuna Life Church. I've talked extensively with Ada County Highway District in terms of only having only one ingress-egress from the property instead of two. We designed the plan on what they recommended. Stan Johnson with Kuna Life Church, apparently with the previous owner, had originally had discussions about the fence. That fencing on two sides of the church actually belongs to Stan Johnson, one side belongs to the school. We designed a wide singular entrance into the property. The idea was to provide as much parking as they could with a drive-around feature. One of the issues we came across was working with J&M Sanitation in terms of a large-enough turnaround space. We simply could not figure out how to design the plan in such a way that we could back up a truck and bring it out that front way. The plan shows a cross-access to the east right by the garbage corral that would go into the parking lot of Kuna Life Church. It lines up perfectly with their parking lot, and how they have it designed. I actually sat down this week with Stan Johnson. He has to talk with his board in terms of solving that problem. That would be the only break in fencing there. I have had many establishments express interest in the retail building spaces. **C/Laraway:** I know there is chain-link fence on the west side. What's the fence on the east side and the north? **Cory Tanner:** It is actually a full six-foot chain-link fence all the way around. I would want to dress the fence up a little bit. We would probably do a nicer chain-link fence. **C/Laraway:** Once you have these areas subdivided, is this to be a draw for Kuna High School students. **Cory Tanner:** Yes. I also talked to Stan about his after-school programs. **C/Young:** Since the property to the north is zoned R-2, even though there is no current residence, a concern I have being residential and having a chain-link fence is headlights from cars. I don't believe there is a berm. On the north side have you considered putting in a vinyl fence? **Cory Tanner:** Is that property owned by Stan Johnson where he has the ball fields? He described to me the master plan of his development. He is operating in the gymnasium with the chapel. The area right behind this development would end up being chapel and additional parking for his space. His biggest concern was more about safety and less about lights. He just wants to make sure that there is enough of a barrier. **C/Damron:** Have you talked to Stan about making that usage for both places? **Cory Tanner:** He's got a couple of singular cans, where as I have a dumpster. We did talk about taking our enclosure and facing it towards the church, but I didn't want him to feel responsible for our garbage. We could potentially revisit it with an entrance on the back side and the unloading doors on his side. **C/Damron:** If he expands it, you both can use it at the same spot. **C/Laraway:** Do you want to talk about the ground cover? **Cory Tanner:** I requested a deviation from City Code. I talked to Stacey Yarrington with ACHD. She indicated to me that she purchased the property on the corner of Linder and Deer Flat. They were planning and redoing that section I believe in 2019, it's on their schedule to be redone. That whole strip from Linder to Meridian was also in the near future to be finished off, she told me it would be a waste of effort. I know there was a comment about engineering for the borrow pit. I talked to Paul Stevens about that, the whole frontage was redone by ACHD. They just put in a new sidewalk across the property and redid the borrow pits all across there. It was previously owned by the previous owner. The sold away the highway district and finished off that sidewalk on that piece. The entrance to this property was almost designed the same way. I would take down the chain-link fence that ACHD put across the front of the property in favor of bushes and landscaping. **C/Young:** I didn't see any signage in the application? **Sam Weiger:** Chairman Young, signage was not part of the application. **C/Young:** As far as the building, what I assume is the rear elevation, have you considered putting pilasters up there? **Cory Tanner:** I feel the same way. I talked to Jeff Likes and went back and forth on a couple of things about awnings and a brick column on either side of it. I would imagine that many employees would park in the back, whereas customers park in the front. **C/Young:** Do you have preference between awnings and pilasters to do in the rear? **Cory Tanner:** I am operating in a building with front facades and in the back, you have awnings. My intent was to put those there, because they would be coming

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in and out frequently. I think in the similar sense, it can be broken up. I would prefer to have the awnings. However, on the west side of the building in the courtyard area, I thought about switching the plan slightly and putting brick all the way across and back two or three feet. **C/Hennis:** There will be lighting in the rear for employees when they enter and such? **Cory Tanner:** Yes, I had talked to Jeff about putting on exterior lighting on the building and also on the parking lot lights. I'm showing on at least this plan that I have at least three lights across the back. **C/Hennis:** Do these exits have to have awnings on them? Otherwise it's nicely planned. **Sam Weiger:** First, we want to reiterate that commercial does not allow chain-link fencing, so we will work with the applicant on the fencing. **C/Young:** The chain-link between the school yard is acceptable right? **Sam Weiger:** Yes. **C/Hennis:** We were also wondering about the borrow pit and sodding. Has ACHD actually purchased it? **Troy Behunin:** We can require this as a licensing agreement. Typically, when this situation happens with curb, gutter and sidewalk, we don't have to worry. Because it's in the five-year work plan, an applicant can avoid the road widening. In those cases, ACHD will allow an applicant to put a portion of the right-of-way along their frontage. As the applicant stated, it does complete the project and looks nicer. I believe the improvement is scheduled for 2019, but you never know. If ACHD is willing to confirm that construction will begin in 2019, I believe that staff would concede that it's not necessary. **C/Hennis:** If they verify with ACHD, I have no problem with that.

Commissioner Hennis motions to approve Case No. 18-38-DR with the conditions as outlined in the staff report; With an additional condition that one street light is added per the city's recommendation at an equal distance between the existing two. With an additional condition that the applicant work with the city to arrive at an appropriate fencing material on the two sides; An additional condition that the applicant provide a rear elevation with some breakup in the architecture, such as the awnings over the rear doors. And an additional condition that if verified by ACHD that the work along the applicant's frontage is going to happen in 2019, the borrow pit can remain gravel. Commissioner Laraway seconds, all aye and motion carried 3-0.

PUBLIC HEARING

18-06-AN (Annexation), 18-08-S (Preliminary Plat) and 18-35-DR (Design Review) – LedgeStone Subdivision; On behalf of Trilogy Development, Inc., WHPacific requests to annex two contiguous parcels comprising of approximately 60.85 acres on East Hubbard Road and North Locust Grove Road into Kuna City Limits with an R-8 zoning designation; and to subdivide the 60.85-acres into 298 total lots, consisting of 253 single family buildable lots, and 45 Common lots. The subject sites are adjacent to the southwest corner of East Hubbard Road and North Locust Grove Road, Kuna, ID 83634, within Section 18, Township 2 North, Range 1 East; (APN's S1418121126 & S1418123400). - **Staff Request this item be table to January 22, 2019; ACHD staff report was not received.**

Commissioner Hennis motions to table Case Nos. 18-06-AN, 18-08-S and 18-35-DR to January 22, 2019. Commissioner Damron seconds, all aye and motion carried 3-0.

18-05-AN (Annexation), 18-06-S (Preliminary Plat) & 18-34-DR (Design Review) – Redcloud Subdivision; The applicant, SSM2, Company, requests to annex approximately 8.00 acres into Kuna City with an R-6, residential zone, and to subdivide the property into 41 single family residential lots and three (3) common lots and have reserved the name *Redcloud Subdivision*. A Design Review application for four common areas and buffer landscaping accompanies this application. The site is located at the southeast corner of Luker and Great Bear Roads, the site address is 1250 S. Luker Rd., Kuna, Idaho; In Section 25, T 2N, R 1W, APN #: S1325438500.

Thomas Maile: I represent SSM2, I am the developer of the property in question. I reside in 885 West Rush Road in Eagle. We're not asking for any enlargements of zoning. We are contiguous to the north and west. We are requesting annexation along with zoning medium density. I reviewed ACHD's staff report and called Austin Miller with ACHD. I inquired with Austin why to adjust layout. Threave Street would become too long. The subdivision to our north that

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lines up with the street has a cul-de-sac ending in that subdivision. I can see ACHDs logic trying to avoid Sadie Creek to the north and the proposed Red Cloud Sub. We can easily provide that stub-out on the south boundary. The other comment from ACHD I think is inappropriate. The rural nature of the surrounding areas is asking that we construct bulb-outs. I didn't get a chance to talk to Austin Miller. With the size of this subdivision, nothing to the south and nothing to the north and west has these bulb-outs. Troy may have information different than I received. I think that it cuts down and makes less congestion. That is the only comment I'd like to provide to the commission this evening. We'll work on all of the conditions. We propose as we've done on two different locations. We did Sailor Shores Meadows. We improved the surrounding area by that small subdivision. We envision continuing to work with Hayden Homes or simplicity homes. The second subdivision has the second signed plat this evening. The need is there. We had a neighborhood meeting that will create more congestion going into rush hour. If you were smart about getting out of Kuna. You'd avoid the rail road tracks, so no undue stress will go into Kuna Downtown. As proposed, it will be a valuable asset to the Kuna community. **C/Laraway:** Out of the 41 lots, do you have anything set for amenities? **Thomas Maile:** We don't, but the stuff to the north and west and we don't have any HOA agreement for amenities. We could explore that option. **Troy Behunin:** Good Evening Commission Members for the record, TB, Planner III, 751 W. 4th Street, Kuna. The application before you tonight is case No's 18-05-AN and 18-06-S; Annexation and Pre Plat are presented for your vote to recommend approval, conditional approval or denial for the Annexation. Then, Case No. 18-34-DR; The DR is presented for your approval, conditional approval, or denial. All of the noticing procedures have been followed to hold the public hearing. The applicant seeks annexation of approximately 8.00 acres into Kuna City limits with an R-6 zone, which matches the Comp Plan map designation of Medium Density Residential. This project is seeking annexation and preliminary plat approvals and have secured Red Cloud as the Subs name. The site is located near the southeast corner of Luker and Great Bear Roads. This project has frontage along Luker Road, a mid-mile collector on the west side of the site. The site touches City limits on its north and west lines and qualifies for annexation using the category "A" method. Applicant also proposes a preliminary plat over the 8 acres and proposes up to 41 buildable lots and three common lots. Applicant will need to extend all City and public utilities to the site, which will likely include two phases for the project. Applicant shall also be conditioned to widen Luker Road and provide full improvements for Luke Road frontage. Staff agrees with ACHD's condition to install a stub on Durlerton Ave rather than Threave Ave for all safety reasons. Applicant also submitted for a DR for the Sub. No sub sign was proposed for DR but is required when the applicant wished to install one. Staff wants to recommend or clarify that "Grasses" on the landscape plan actually mean Sod. Staff recommends the change for the planting detail as well. Staff notes that this project is subject to design review inspection fees and inspections (post construction), to verify landscaping compliance prior to signature on the final plat. Staff has worked with the applicant to get you the information for tonight. Staff finds this application to be in concert with the comp plan goals and the comp plan map and looks forward to the project in this location opening a new chapter in Kuna's history. I stand for questions. **C/Hennis:** You indicated three common lots. The three common lots are just toward Luker Road side? **Troy Behunin:** Correct. Two are in phase one and one is on phase two. **C/Hennis:** The only landscaping plan we have is just this one site plan. I didn't know if I had missed it or not. **Troy Behunin:** The subdivisions that he was mentioning, Sadie Creek to the north and Wild Meadows to the west. They actually have open space inside the subdivisions. Sadie Creek actually has a developed city park and a dog park within that park. I believe it's a three-to-four-acre parcel. There is some open space for the subdivision. **C/Young:** There are also pathways leading to open spaces as well. I don't see any pathways. Is there access from Sadie Creek into the irrigation swimming area and the dog park? **Troy Behunin:** There is. Even if they have to walk around, that's still part of the subdivision. That subdivision is kind of a weird shape. **C/Hennis:** I don't see anything about Sadie Creek as well. Kuna didn't have a regional pathway map back then. **C/Laraway:** There will be common lots in the subdivision then, correct? **C/Young:** Those common lots are listed along Luker. What's shown in the preliminary plat in the subdivision includes open space. What's shown in the preliminary plat within the subdivision is no open space. **C/Laraway:** The common lots that you're referring to is over off Great Bear has a little park there with slides. Sadie Creek has the park, correct? **Troy Behunin:** Yes. **C/Laraway:** My concern is with the HOAs that are going to allow these students going from one playground to another legally. **Troy Behunin:** That's a civil matter. Typically, what happens is HOAs

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are built for those to live in the subdivision. We've seen a new development like to use someone else's green space. **Bruce Wasserman:** I live at 1021 East in the Pioneer Subdivision. I'm not opposed to growth, but I'm concerned about access to any sub-development on that side of the tracks in emergency situations. I don't know if that's an issue that's been around as long as there have been houses on that side of the tracks. I'd like to see something happen that accelerates development of some emergency access. **Kyle Williams:** 1173 South Wiston Place. I'm in favor of this. Where they built my subdivision and it abutted the property in question, there is a couple foot elevation. I hope they graduate it, so there is not such a sharp drop. There are also quite a few mature trees in Pioneer Estates and then also on the east boundary. If possible, I would like to have them leave those mature trees in place. If not, whoever owns the property in the end will make the ultimate decision. **Mike Wash:** I live at 1032 South Threave. One of my concerns is what you're calling green area or open area. The second concern I had was drainage in regards to snow. **Thomas Maile:** There is some very insightful testimony from the neighbors. Specifically, from the point of fire protection, you almost need a larger tax base to fund and make available a second fire department or second fire station. Someday that may be south of the tracks, and there may be a bridge that goes over the tracks someday. These are all things that potentially down the road may occur. As I said preliminarily, there may be a cross access going down East King to avoid the downtown area. We're looking at minimizing these concerns. To feed individuals, which I don't think Kuna is facing completely, but it's certainly something to consider. As far as tiles, I didn't fully understand those but I'll work with the citizen. I think that once dedicated to ACHD, there does seem to be more snow removal equipment. Hopefully ACHD can request those. One gentleman asked about the trees. There is certainly value associated with timber. **C/Young:** Now is the Commission discussion. **C/Hennis:** This just mimics the preexisting subdivision. I do have concerns with the long road. I would like to see some open space, whether it be amenities or a place to play. **C/Young:** I also agree with ACHD looking at the length of those streets. I know teenagers and long streets and speed, and a need for open space. We need some connectivity pathway. As this develops, if something develops to the east, the city has wanted a pathway and connectivity between subdivisions. If it wants to go to council with a recommendation of approval, I think that should be something that could be conditioned. **C/Hennis:** That addresses the concern for emergency services on that side on that side of the tracks.

Commissioner Hennis motions to recommend approval of Case Nos. 18-05-AN and 18-06-S with the conditions as outlined in the staff report; with an additional condition that the applicant work with ACHD and the city to mitigate the traffic concerns along Threave Avenue; An additional condition that the applicant work with the city to provide connectivity throughout the subdivision with some pathway and preferably an additional open space of a minor nature so that the residents have an open area. Commissioner Damron seconds, all aye and motion carried 3-0.

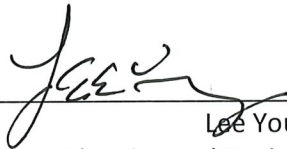
3. COMMISSION REPORTS

4. ADJOURNMENT

Commissioner Hennis motions to adjourn; Commissioner Damron Seconds, all aye and motion carried 3-0.

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Lee Young, Chairman
Kuna Planning and Zoning Commission

ATTEST:



Wendy L. Howell, Planning and Zoning Director
Kuna Planning and Zoning Department